SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.846 0F 2006
IN
INCOME TAX APPEAL (LOD) NO.392 OF 2006

The Director of Income Tax
(International Taxation) ..Appellant.

V/s.

M/s.Jay Ray McDermott SA. ..Respondent.

Mr.B.M.Chatterji with Mrs.P.P.Bhosale for appellant.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 1ST OCTOBER, 2007.

P.C. :-

Delay is less than 200 days. Considering the practical difficulties which the Department was facing including referring the matters to the Law Department, Government of India for drafting the appeal memo and considering the affidavit in support of the notice of Motion, in our opinion, cause shown would amount to sufficient cause. Hence delay condoned. The Notice of Motion is allowed in terms of prayer clause (a). Office to register the appeal.

The record does not indicate that the respondents were served. The delay is of 44 days. If the respondents are still aggrieved by the order, liberty to them to apply for recall of the order.

(J.P.DEVADHAR, J.) **(F.I.REBELL0, J.)**